

**IN THE UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF WEST VIRGINIA**

IN RE: AFLIBERCEPT PATENT LITIGATION

MDL No.: 1:24-md-3103-TSK

**This Document Relates to All Cases**

**JOINT NOTICE OF PENDING MOTIONS**

Pursuant to the Court's Order dated April 26, 2024, Plaintiff Regeneron Pharmaceuticals, Inc. ("Regeneron") and MDL Defendants Mylan Pharmaceuticals Inc. ("Mylan"), Biocon Biologics Inc. ("Biocon"), Samsung Bioepis Co., Ltd. ("SB"), Celltrion, Inc. ("Celltrion"), Formycon AG ("Formycon"), and Amgen Inc. ("Amgen") jointly submit this Notice of Pending Motions before the Court, with each motion identified by member case number and style as well as by the document number assigned to the motion. The parties understand that this Notice serves as re-notice of each pending motion for resolution and that the re-noticed motions will be considered pending as of the date of the filing of this Notice.

Regeneron further advises the Court that its Motion for Guidance Regarding Temporary Restraining Orders in View of May 18, 2024 Expiration of Regulatory Exclusivity for EYLEA, which Regeneron filed on May 3, 2024, is also pending before the Court in the above-captioned MDL and certain member cases. *See* No. 1:24-md-3103 Dkt. 36; No. 1:22-cv-00061-TSK, Dkt. 754; No. 1:23-cv-00089-TSK, Dkt. 168; No. 1:23-cv-00094-TSK, Dkt. 207; No. 1:23-cv-00106-TSK, Dkt. 189; No. 1:23-cv-00097-TSK, Dkt. 217; No. 1:24-cv-00039-TSK Dkt. 131.

**I. *Regeneron Pharmaceuticals, Inc. v. Mylan Pharmaceuticals Inc. and Biocon Biologics Inc.*, No. 1:22-cv-00061-TSK (N.D. W.Va.)**

**A. Regeneron's Pending Motions**

Regeneron identifies and re-notices the following motions it has filed that are currently pending before the Court in the above-captioned case against Mylan and Biocon:

- Motion for Permanent Injunction (Case No. 1:22-cv-00061-TSK Dkt. 708)

**B. Mylan's and Biocon's Pending Motions**

None.

**II. *Regeneron Pharmaceuticals, Inc. v. Celltrion, Inc.*, No. 1:23-cv-00089-TSK (N.D. W.Va.)**

**A. Regeneron's Pending Motions**

Regeneron identifies and re-notices the following motions it has filed that are currently pending before the Court in the above-captioned case against Celltrion:

- Motion for Preliminary Injunction (Case No. 1:23-cv-00089-TSK Dkt. 108)

**B. Celltrion's Pending Motions**

Celltrion identifies and re-notices the following motions it has filed that are currently pending before the Court in the above-captioned case against Celltrion:

- Celltrion's Motion to Dismiss for Lack of Personal Jurisdiction or, Alternatively, Transfer Venue (Case No. 1:23-cv-00089-TSK Dkt. 68)
- Celltrion's Motion to Strike Portions of Regeneron's Reply Brief and the Entirety of the Graham Declaration, or, In the Alternative, for Leave to File a Sur-Reply (Case No. 1:23-cv-00089-TSK Dkt. 160-2)

**III. *Regeneron Pharmaceuticals, Inc. v. Samsung Bioepis Co., Ltd.*, No. 1:23-cv-00094-TSK (N.D. W.Va.); *Regeneron Pharmaceuticals, Inc. v. Samsung Bioepis Co., Ltd.*, No. 1:23-cv-00106-TSK (N.D. W.Va.)**

**A. Regeneron's Pending Motions**

Regeneron identifies and re-notices the following motions it has filed that are currently pending before the Court in the above-captioned cases against SB:

- Motion for Preliminary Injunction (Case No. 1:23-cv-00094-TSK Dkt. 118; Case No. 1:23-cv-00106-TSK Dkt. 99)
- Emergency Motion to Strike Samsung Bioepis's and Formycon's Motion to Strike (Case No. 1:23-cv-00094-TSK Dkt. 171; Case No. 1:23-cv-00106-TSK Dkt. 152)

**B. SB's Pending Motions**

SB identifies and re-notices the following motions it has filed that are currently pending before the Court in the above-captioned cases against SB:

- SB's Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(2) (Case No. 1:23-cv-94-TSK-JPM Dkt. 47; Case No. 1:23-cv-106-TSK-JPM Dkt. 14)
- SB's and Formycon's Motion for an Order Confirming That Third-Party Discovery Is Not Permitted (Case No. 1:23-cv-94-TSK-JPM Dkt. 129-2; Case No. 1:23-cv-106-TSK-JPM Dkt. 110-2)
- SB's and Formycon's Motion to Partially Strike the Opening Declaration of Dr. Ranjit Singh Atwal (Case No. 1:23-cv-94-TSK-JPM Dkt. 163-2; Case No. 1:23-cv-106-TSK-JPM Dkt. 143-2)
- SB's Emergency Motion to Strike (Case No. 1:23-cv-94-TSK-JPM Dkt. 195-2; Case No. 1:23-cv-106-TSK-JPM Dkt. 177-2);
- SB's Emergency Motion to Compel (Case No. 1:23-cv-94-TSK-JPM Dkt. 200-2; Case No. 1:23-cv-106-TSK-JPM Dkt. 182-2)

**IV. *Regeneron Pharmaceuticals, Inc. v. Formycon AG*, No. 1:23-cv-00097-TSK (N.D. W.Va.)**

**A. Regeneron's Pending Motions**

Regeneron identifies and re-notices the following motions it has filed that are currently pending before the Court in the above-captioned case against Formycon:

- Motion for Preliminary Injunction (Case No. 1:23-cv-00097-TSK Dkt. 101)
- Emergency Motion to Strike Samsung Bioepis's and Formycon's Motion to Strike (Case No. 1:23-cv-00097-TSK Dkt. 173)

**B. Formycon's Pending Motions**

Formycon identifies and re-notices the following motions it has filed that are currently pending before the Court in the above-captioned case against Formycon:

- Motion to Dismiss for Lack of Personal Jurisdiction or Alternatively to Transfer Venue (Case No. 1:23-cv-00097-TSK Dkts. 57-58)
- Motion for an Order Confirming That Third-Party Discovery Is Not Permitted (Case No. 1:23-cv-00097-TSK Dkt. 110)
- Motion to Partially Strike the Opening Declaration of Dr. Ranjit Singh Atwal (Case No. 1:23-cv-00097-TSK Dkt. 154)
- Objections to Magistrate Judge Mazzone's Sealed Order Denying Its Emergency Motion to Compel (Case No. 1:23-cv-00097-TSK Dkts. 179, 180)
- Emergency Motion to Strike (Case No. 1:23-cv-00097-TSK Dkt. 207 and MDL No. 1:24-MD-3103-TSK Dkt. 8)

**V. *Regeneron Pharmaceuticals, Inc. v. Amgen Inc.*, No. 1:24-cv-00039-TSK (N.D. W.Va.)**

**A. Regeneron's Pending Motions**

Regeneron does not currently have any motions pending with the Court in the above-captioned case against Amgen.

**B. Amgen's Pending Motions**

Amgen identifies and re-notices the following motion it has filed that is currently pending before the Court in the above-captioned case:

- Defendant Amgen Inc.'s Motion to Compel (Case No. 1:24-cv-00039-TSK Dkt. 125)

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In addition to the above motions, and in connection with Case Nos. 1:23-cv-00097, 1:23-cv-00094, 1:23-cv-00106, Regeneron identifies and re-notices the following motion it has filed that is currently pending before the Court in the non-member case captioned *Regeneron Pharmaceuticals, Inc. v. SAFC Biosciences, Inc.*, No. 1:24-mc-00029-TSK (N.D. W.Va.):

- Motion to Compel Compliance with Rule 45 Subpoenas (Case No. 1:24-mc-00029 Dkt. 20)

Date: May 10, 2024

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**CERTIFICATE OF SERVICE**

The undersigned counsel hereby certifies that on the 10th day of May 2024, service of the foregoing *Joint Notice of Pending Motions* was made to counsel of record by CM/ECF filing.

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